

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PSI CORPORATION (f/k/a/ FRIENDLYWAY  
CORPORATION, f/k/a BIOFARM, INC.),

No. C 07-02869 SBA

**ORDER**

Plaintiff,

vs.

ALEXANDER VON WELCZECK, HENRY  
LO, MICHAEL DRAPER, and  
FRIENDLYWAY AG,

Defendants.

On June 26, 2007, defendants Welczech and Lo filed their Answers and Counterclaim in response to plaintiff's Complaint. On July 16, 2007, plaintiff filed the instant motion to dismiss Counts Two, Three and Four of the Welczech's and Lo's Counterclaim, and noticed it for hearing on September 11, 2007. On September 5, 2007, defendants filed an amended counterclaim.

Accordingly, IT IS HEREBY ORDERED THAT the Court DENIES as MOOT plaintiff's motion to dismiss [Docket No. 37], without prejudice as to PSI reurging its motion to dismiss with respect to the amended counterclaim.

IT IS SO ORDERED.

Dated: 9/6/07

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge